A

Word without Doors

Concerning the

BILL

FOR

SUCCESSION.

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SIR,

I AM very ſenſible of the great honour you were pleaſed to do me in your laſt, which I received immediately after our late unhappy Diſſolution; but could have wiſhed you would have laid your commands on ſome more able perſon, to have given you ſatisfaction in the matter you there propoſe relating to the Duke, who, you ſeem to inſinuate, was like (if the Parliament had continued) to have received hard meaſure. I muſt ingenuouſly confeſs to you, I was not long ſince perfectly of your opinion, and thought it the higheſt injuſtice imaginable, for any Prince to be debar'd of his native right of Succeſſion upon any pretence whatever. But upon a more mature deliberation and enquiry I found my error proceeded principally from the falſe notions I had took up of Government it ſelf, and from my ignorance of the practices of all Communities of men in all ages, whenever ſelf-preſervation and the neceſſity of their affairs obliged them to declare their opinion in caſes of the like nature: To the knowledg of all which, the following accident I ſhall relate to you, did very much contribute.

My occaſions obliging me one day to attend the coming of a Friend in a Coffee-houſe near *Charing-Croſs*, there happned to ſit at the ſame Table with me two ingenious Gentlemen, who according to the frankneſs of converſation now uſed in the Town, began a diſcourſe on the ſame ſubject you deſire to be more particularly informed in; and having extolled the late Houſe of Commons as the beſt number of men that had ever ſate within thoſe Walls; and that no Houſe had ever more vigorouſly maintained and aſſerted Engliſh Liberty and Proteſtant Religion, than they had done, as far as the nature of the things that came before them, and the circumſtances of time would admit (to all which I very readily and heartily aſſented); they then added, That the great Wiſdom and Zeal of that Houſe had appeared in nothing more, than in ordering a Bill to be brought in for debarring the Duke of *Y.* from inheriting the Crown. A Law they affirmed to be the moſt juſt and reaſonable in the world, and the only proper Remedy to eſtabliſh this Nation on a true and ſolid Intereſt, both in relation to the preſent and future times.

To which I could not but reply, That I begged their pardon if I differed from them in opinion; and did believe, that how honeſtly ſoever the Houſe of Commons might intend in that matter, yet that the point of Succeſſion was ſo ſacred a thing, and of ſo high a nature, that it was not ſubjected to their cognizance: That Monarchy was of Divine Right: That Princes ſucceeded by nature and generation only, and not by authority, admiſſion, or approbation of the people; and conſequently, that neither the merit or demerit of their perſons, nor the different influences from thence upon the people,

people, were to be reſpected or had in conſideration; but the Commonwealth ought to obey and ſubmit to the next Heir, without any further inquiſition; and if he proved a worthy, vertuous, and juſt Prince, it was a great happineſs; if unjuſt, barbarous, and tyrannical, there was no other remedy, but prayer, patience, and an intire ſubmiſſion to ſo difficult a diſpenſation of Gods Providence.

I had no ſooner ended my diſcourſe, but one of the Gentlemen (that was the moſt ſerious in the company) ſeeing me a young man, gravely replyed, That he could not but be extremely concerned to hear that ſuch pernicious notions againſt all lawful Government, had been taught in the world: That he believed they were in me purely the effects of an Univerſity-Education; and that it had been my misfortune to have had a very high Church-man for my Tutor, who had endeavoured (as it was their conſtant practiſe to all young Gentlemen under their care) to debauch me with ſuch principles as would enſlave my mind to their Hierarchy, and the Monarchical part of the Government, without any regard at all to the Ariſtocratical and Popular; and that fat Parſonages, Prebendſhips, Deanaries, and Epiſcopal Sees, were the certain and conſtant Rewards of ſuch Services: That the place we were in, was a little too publick for diſcourſes of this nature; but if I would accept of a Bottle of Wine at the next Tavern, he would undertake to give me juſter meaſures; adding, it was pity ſo hopeful a Gentleman ſhould be tainted with bad principles. My Friend coming in at the ſame time, proved to be one of their particular acquaintance; and both he and I readily complied with ſo generous a motion.

We had no ſooner drank a Glaſs round, but the old Gentleman was pleaſed to renew his diſcourſe, and ſaid, It was undoubtedly true, that the inclination of mankind to live in company (from whence come Towns, Cities, and Commonwealths) did proceed of Nature, and conſequently of God the Author of Nature. So likewiſe Government, and the juriſdiction of Magiſtrates in general (which does neceſſarily flow from the living together in ſociety) is alſo of Nature, and ordained by God for the common good of mankind; but that the particular ſpecies and forms of this or that Government, in this or that manner, To have many, few, or one Governour; or that they ſhould have this or that Authority, more or leſs, for a longer or a ſhorter time; or whether ordinarily by Succeſſion or by Election, all theſe things (he ſaid) are ordained and diverſified by the particular poſitive Laws of every Countrey, and are not eſtabliſht either by Law Natural or Divine, but left by God unto every Nation and Countrey, to pitch upon what form of Government they ſhall think moſt proper to promote the common good of the whole, and beſt adapted to the natures, conſtitutions, and other circumſtances of the people; which accordingly for the ſame reaſons may be altered or amended in any of its parts, by the mutual conſent of the Governours and governed, whenever they ſhall ſee reaſonable cauſe ſo to do; all which appears plainly, both from the diverſity of Governments extant in the world, and by the ſame Nations living ſometimes under one ſort of Government, and ſometimes under another. So we ſee God himſelf permitted his peculiar people the *Jews* to live under divers forms of Government, as firſt under Patriarchs, then under Captains, then under Judges, then under High-Prieſts, next under Kings, and then under Captains and High-Prieſts again, until they were conquered by the *Romans*, who themſelves alſo firſt

lived

lived under Kings, and then Conſuls, whoſe authority they afterwards limited by a Senate, by adding Tribunes of the people; and in extraordinary emergencies of the Commonwealth they were governed by Dictators, and laſt of all by Emperors. So that it's plain no Magiſtrate has his particular Government, or an Intereſt of ſucceſſion in it, by any Inſtitution of Nature, but only by the particular Conſtitution of the Commonwealth within it ſelf. And as the kinds of Government are different, ſo alſo are the meaſures of Power and Authority in the ſame kind, in different Countreys.

I ſhall begin (ſaid he) with that of the *Roman* Empire, which though it be the firſt in dignity amongſt Chriſtian Princes, yet it is ſo reſtrained and limited by the particular Laws of the Empire, that he can do much leſs in his State, than other Kings in theirs. He can neither make War, nor exact any Contribution of Men or Money, but by the conſent of all the States of the *German* Diet: And as for his Children and Relations, they have no Intereſt or pretence to ſucceed, but only by Election, if they ſhall be thought worthy. Nay, the chiefeſt Article the Emperor ſwears to keep at his admiſſion to that Honour, is, That he ſhall never endeavour to make the Dignity of the Empire Hereditary to his Family.

In *Spain* and in *France*, the Priviledges of Kings are much more eminent, both in Power and Succeſſion; their Authority is more abſolute, every Order of theirs having the validity of a Law, and their next of blood does ordinarily inherit, though in a different manner. In *Spain* the next Heir cannot ſucceed but by the approbation of the Nobility, Biſhops, and States of the Realm. In *France* the Women are not admitted to ſucceed, let them be never ſo lineally deſcended. In *England* our Kings are much more limited and confined in their Power, than either of the two former; for here no Law can be made but by conſent and authority of Parliament; and as to the point of Succeſſion, the next of kin is admitted unleſs in extraordinary caſes, and when important Reaſons of State require an alteration: And then the Parliaments of *England* (according to the Ancient Laws and Statutes of the Realm) have frequently directed and appointed the ſucceſſion of the Crown in other manner than in courſe it would have gone; of which I ſhall give you ſome examples in order.

But firſt let us look abroad, and ſee how things have been carried as to this point in other Countreys.

Amongſt the *Jews* the Law of Succeſſion did ordinarily hold; and accordingly *Rehoboam* the lawful Son and Heir of *Solomon*, after his Fathers deceaſe, went to *Sichem* to be crowned and admitted by the people; and the whole body of the people of *Iſrael* being there gathered together, did (before they would admit him their lawful King) make unto him certain propoſitions for taking away ſome heavy Taxes that had been impoſed on them by his Father *Solomon*, which he refuſing to gratifie them in, and following the advice of young men, Ten of the Twelve Tribes immediately choſe *Jeroboam*, a Servant of *Rehoboam*'s, a meer ſtranger, and of mean Parentage, and made him their King; and God approved thereof, as the Scriptures in expreſs words do teſtifie: for when *Rehoboam* had raiſed an Army of One

hundred and fourſcore thouſand men, intending by force of Arms to have juſtified his Claim, God appeared unto *Semajah*, and commanded him to go to *Rehoboam*, and to the Houſe of *Judah* and *Benjamin*, ſaying, *Return every man to his houſe, for this thing is of me, ſaith the Lord.* So that ſince God did permit and allow this in his own Commonwealth, which was to be the pattern for all others, no doubt he will approve the ſame in other Kingdoms, whenever his ſervice and glory, or the happineſs of the Weal-publick ſhall require it.

The next Inſtance I ſhall give you, ſhall be in *Spain*, where *Don Alonſo de la Cerda* having been admitted Prince of *Spain* in his Father's life-time (according to the cuſtom of that Realm) married *Blancha* Daughter of *Lewis* the firſt King of *France*, and had by her two Sons named *Alonſo* and *Hernando de la Cerda*; but their Father (who was only Prince) dying before *Alonſo* the ninth then King, he recommended them to the Realm as lawful heirs apparent to the Crown: But Don *Sancho* their Fathers younger Brother, who was a great Warrier, and ſirnamed *El Bravo*, was admitted Prince, and they put by, in their Grandfathers life-time, by his and the States conſent; and this was done at a Parliament held at *Segovia*, in the year 1276: And in the year 1284, (*Alonſo* the 9*th* being dead) Don *Sancho* was acknowledg'd King, and the two Princes impriſoned; but at the Mediation of *Philip* the third, King of *France*, their Uncle, they were ſet free, and endowed with conſiderable Revenues in Land, and from them do deſcend the Dukes *de Medina Celi* at this day; and the preſent King of *Spain* that is in poſſeſſion, deſcendeth from Don *Sancho*.

In *France*, *Lewis* the 4*th* had two Sons, *Lothairin*, who ſucceeded him, and *Charles*, whom he made Duke of *Lorrain*. *Lothairin* dying, left an only Son named *Lewis*, who dying without iſſue after he had reigned two years, the Crown was to have deſcended on his Uncle *Charles* Duke of *Lorrain*. But the States of *France* did exclude him, and choſe *Hugo Capetus*, Earl of *Paris*, for their King; and in an Oration made by their Embaſſador to *Charles* of *Lorrain*, did give an account of their Reaſons for ſo doing, as it is related by *Belforeſt*, a *French* Hiſtorian, in theſe very words:

Every man knoweth (Lord *Charles*) *that the Succeſſion of the Crown and Kingdom of* France, *according to the ordinary Rights and Laws of the ſame, belongeth unto you, and not unto* Hugh Capet *now our King: But yet the ſame Laws which do give unto you ſuch Right of Succeſſion, do judg you alſo unworthy of the ſame, for that you have not endeavoured hitherto to frame your life according to the preſcript of thoſe Laws, nor according to the uſe and cuſtom of the Kingdom of France, but rather have allied your ſelf with the* Germans *our old Enemies, and have accuſtomed your ſelf to their vile and baſe Manners. Wherefore ſince you have abandoned and forſaken the ancient Virtue, Amity, and Sweetneſs of your Country, your Country has alſo abandoned and forſaken you; for we have choſen* Hugh Capet *for our King, and have put you by, and this without any ſcruple in our Conſciences at all; eſteeming it far better and more juſt to live under* Hugh Capet, *the poſſeſſor of the Crown, with enjoying the ancient uſe of our Laws, Cuſtoms, Pri-*

Priviledges, and Liberties, than under you the next Heir by blood, in Oppreſſion, ſtrange Cuſtoms, and Cruelty. For as they who are to make a Voyage in a Ship on a dangerous Sea, do not ſo much reſpect whether the Pilot claims Title to the Ship or no, but rather whether he be skilful, valiant, and like to bring them in ſafety to their ways end; even ſo our principal care is to have a good Prince to lead and guide us happily in this way of Civil and Politick life, which is the end for which Princes are appointed. And with this Meſſage ended his Succeſſion and Life, he dying not long after in Priſon.

And now I ſhall come home, and give you an Inſtance or two in *England*, ſince the Conqueſt, and ſo conclude.

William Rufus, ſecond Son of *William the Conqueror*, by the aſſiſtance of *Lanfrank* Archbiſhop of *Canterbury*, who had a great opinion of his Virtue and Probity, was admitted King by the conſent of the Realm, his elder Brother *Robert* Duke of *Normandy* being then in the War at *Jeruſalem*. *William* dying, his younger Brother *Henry* by his ingenuity and fair carriage, and by the aſſiſtance of *Henry* Earl of *Warwick*, who had greateſt intereſt in the Nobility; and *Maurice* Biſhop of *London*, a leading-man amongſt the Clergy, obtained alſo the Crown. And *Robert* Duke of *Normandy* was a ſecond time excluded. And though this King *Henry* could pretend no other Title to the Crown than the Election and Admiſſion of the Realm, yet he defended it ſo well, and God proſpered him with ſuch ſucceſs, that when his elder Brother *Robert* came to claim the Kingdom by force of Arms, he beat him in a Pitcht-Battel, took him Priſoner, and ſo he dyed miſerably in Bonds.

King *Henry* had one only daughter, named *Maud*, or *Matilda*, who was married to the Emperor, and he dying without iſſue, ſhe was afterwards married to *Geofrey Plantagenet* Earl of *Anjou* in *France*, by whom ſhe had a Son named *Henry*, whom his Grandfather declared Heir-apparent to the Crown in his life-time; yet after his death *Henry* was excluded, and *Stephen* Earl of *Bulloine*, Son of *Adela*, Daughter of *William the Conqueror*, was by the States thought more fit to govern than Prince *Henry*, who was then but a Child. And this was done by the perſwaſion of *Henry* Biſhop of *Wincheſter*, and at the ſolicitation of the Abbot of *Glaſtenbury* and others, who thought they might do the ſame lawfully, and with a good conſcience, for the publick good of the Realm.

But the event did not prove ſo well as they intended: for this occaſioned great Factions and Diviſions in the Kingdom; for the quieting of which, there was a Parliament held at *Wallingford*, which paſſed a Law, That *Stephen* ſhould be King only during his Life, and that Prince *Henry* and his off-ſpring ſhould ſucceed him; and by the ſame Law debarred *William* Son of King *Stephen* from inheriting the Crown, and only made him Earl of *Norfolk*.

Thus did the Parliament diſpoſe of the Crown in thoſe days, which was in the year 1153, which ſufficiently proves what I have aſſerted.

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The ſum of all I have ſaid, amounts to this: That Governme ntin general is by the Law of Nature, and conſequently the Ordinance of God; but that the different forms of Government, whether to reſide in One, Few, or Many; or whether it ſhall be continued by Succeſſion or by Election, together with the different meaſures and limitations of Power and Authority in Governours of the ſame kind in ſeveral Countreys; All theſe things, I ſay, are ordained by, and purely depend upon Poſitive and Human Laws: From whence it will neceſſarily follow, That the ſame human Authority (reſiding in King, Lords, and Commons, here in *England*) which gave being to thoſe Laws for the good of the Community, is ſuperintendent over them, and both may and ought to make any addition to, or alteration of them, when the publick Good and Welfare of the Nation ſhall require it; unleſs you will admit, That an human Authority, eſtabliſhing any thing intentionally for the common good of the Society, which in tract of time, by reaſon of unforeſeen circumſtances and emergencies, proves deſtructive of it, has by that Act concluded it ſelf, and made that accidental evil, moral and unchangeable, which to affirm is ſenſeleſs and repugnant.

AND now, Sir, I hope by this time (ſaid the old Gentleman) you begin to think that the Bill for diſabling the Duke was not ſo unjuſt and unreaſonable as was pretended; and that the courſe of Succeſſion (being founded upon the ſame bottom with other Civil Conſtitutions) might likewiſe as juſtly have been altered by the King, Lords, and Commons, as any other Law or Cuſtom whatever.

And here I might conclude: But becauſe a late PENTIONARY Pen has publickly arraign'd the Wiſdom, Loyalty, and Juſtice of the Honourable Houſe of Commons, on the account of this Bill, I will *ex abundanti* add a word or two more to that particular.

Whereupon he pluckt a Paper out of his Pocket, intituled, *Great and weighty Conſiderations relating to the Duke and Succeſſion of the Crown, &c.* Which as ſoon as he had read unto us, You ſee here (ſaid he) the true temper of thoſe men, of whom I firſt gave you caution. There never was an endeavour (though in a Legal and Parliamentary way) after any Reformation either in Church or State, but the promoters of it were ſure to be branded by them with the odious imputations of *Fanatiſm* and *Faction*. Nay, if the Country Electors of Parliament-men will not pitch upon ſuch Rake-hells of the Nation as are uſually propoſed by them, but on the contrary make uſe of their freedom and Conſciences in chuſing able, upright, and deſerving perſons; and if good men thus choſen do but (according to their Duty in the Houſe) enquire into publick Grievances, purſue in a Legal courſe notorious Offenders, and conſult and adviſe the ſecurity of the Government and Proteſtant Religion, the high Churchman immediately ſwells, and in paſſion tells you, That all this proceeds from

from the old Phanatick Leven not yet worn out amongſt the people: That we are going back again to Forty one; and acting over afreſh the ſins of our Forefathers.

Thus ignorantly do they complement the Times and Perſons they endeavour to expoſe, by appropriating to them ſuch Virtues as were common to good men in all Ages. But enough of this.

In the next place pray obſerve how hypocritically the *CONSIDERER* puts this Queſtion, viz.

Whether Proteſtant Religion was not ſetled in this Nation by the ſame mighty hand of God that eſtabliſht Jeroboam *in the Kingdom of* Iſrael? [And then adds] *Whether we (like that wicked King) ſhould ſo far deſpair of Gods Providence in preſerving the work of his own hands, as never to think it ſafe unleſs it be eſtabliſht on the Quick-ſands of our own wicked Inventions?* [*viz.* the Bill againſt the Duke.]

And throughout his whole Diſcourſe he frequently calls all Care of preſerving our Religion, a miſtruſt of God's Providence; and on that ſcore calls out to the Nation, *O ye of little faith, &c.* Now I will allow him, That the leaſt evil is not to be done, that the greateſt and moſt important Good may enſue: But that the Bill for Diſabling the Duke, is highly juſtifiable both by the Laws of God, and Conſtitution of our Government, I think by my former Diſcourſe I have left no room to doubt; and the *Conſiderer* having ſcarce attempted to prove the contrary, it's prepoſterouſly done of him to give us his Uſe of Reproof, before he has clear'd his Doctrine.

However, I owe him many thanks for putting me in mind how Proteſtant Religion was firſt eſtabliſht here in *England:* It was indeed by the mighty hand of God influencing the Publick Councels of the Nation, ſo that all imaginable care was taken both by Prince and people, to reſcue themſelves from under the *Romiſh* Yoke; and accordingly moſt excellent Laws were made againſt the Uſurpation and Tyranny of that Man of Sin. Our Noble Anceſtors in thoſe days did not palliate a want of zeal for their Religion, with a lazy pretence of truſting in Gods Providence; but together with their Prayers to, and Affiance in Heaven, they joined the acts of their own Duty, without which (they very well knew) they had no reaſon to expect a bleſſing from it.

But now be pleaſed to take notice of the Candor of this worthy *Conſiderer*, Nothing leſs will ſerve his turn, than the proving all the Voters for the Bill, guilty of the higheſt perjury; *For* (ſays he) *they have all ſworn in the Oath of Allegiance to bear faith and true allegiance to His Majeſty, His Heirs and Succeſſors: But the Duke is Heir,* Ergo, *&c.* A very hopeful Argument indeed! But what if it ſhould

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happen (as it is neither impoſſible nor very improbable to imagine it) that the next heir to the Crown ſhould commit Treaſon, and conſpire the death of the preſent Poſſeſſor, and for this Treaſon ſhould not only be Attainted by Parliament, but Executed too; Pray Mr. *Conſiderer*, would the Parliament in this caſe be guilty of Murder and Perjury? I am confident you will not ſay it. If therefore the next Heir become obnoxious to the Government in a lower degree, why may not the ſame Authority proportion the puniſhment, and leave him his Life, but debar him of the Succeſſion? This I ſay only to ſhew the abſurdity of his Argument.

My Anſwer is this: No man can bear Allegiance to two perſons at the ſame time; nor can Allegiance be ever due to a Subject, and therefore my obligation by the word [*Heir*] in the Oath, does not commence till ſuch Heir has a preſent Right to, or Actual poſſeſſion of the Crown; which if he never attains, either by reaſon of death, or any other Act that incapacitates and bars him, then can my obligation to him by the word *Heir* in the Oath never have a beginning.

But beſides all this, it cannot be denied but that Mr. *Conſiderer's* Doctrine does bring great inconveniences on Succeſſion; for the next Heir (by his way of arguing) is let looſe from all the Reſtrictions and Penalties of Human Laws; and has no other tyes upon him, not to ſnatch the Crown out of the hands of the Poſſeſſor, than purely thoſe of his own conſcience, which is worthy Mr. *Conſiderers* higheſt conſideration.

I ſhall only take notice of one Objection more, and then conclude (fearing I have too much treſpaſs'd on your patience already).

It's very hard (ſays he) *that a man ſhould loſe his Inheritance becauſe he is of this or that perſwaſion in matters of Religion.*

And truly, Gentlemen, were the caſe only ſo, I ſhould be intirely of his mind. But alas! Popery (whatever Mr. *Conſiderer* is pleas'd to inſinuate) is not an harmleſs innocent perſwaſion of a number of men differing from others in matters relating to Chriſtian Religion; but is really and truly a different Religion from Chriſtianity it ſelf. Nor is the Inheritance he there mentions, an Inheritance only of *Black Acre* and *White Acre*, without any Office annexed, which requires him to be *par Officio*: But the Government and Protection of ſeveral Nations, the making of War and Peace for them, the preſervation of their Religion, the diſpoſal of publick Places and Revenues, the Execution of all Laws, together with many other things of the greateſt importance, are in this caſe claimed by the word *Inheritance*; which if you conſider, and at the ſame time reflect upon the enſlaving and bloody Tenents of the Church of *Rome*, more particularly the Helliſh and Damnable Conſpiracy thoſe of that Communion are now carrying on againſt our Lives, our Religion, and our Government; I am confident you will think it as proper for a Wolf to be a ſhep-

herd,

herd, as it is for a Papiſt to be the *Defender of our Faith*, &c.

The old Gentleman had no ſooner ended his Diſcourſe, but I returned him my hearty thanks, for the trouble he had been pleaſed to give himſelf on this occaſion; and I could not but acknowledg he had given me great ſatisfaction in that affair; what it will give thee, *Charles*, I know not, I am ſure I parted from him very melancholly for having been a Fool ſo long. *Adieu.*

I am thy Affectionate,

J. D.

FINIS.